

## Message Text

PAGE 01 GENEVA 01761 081916Z

46

ACTION IO-11

INFO OCT-01 EUR-12 EA-09 ISO-00 IOE-00 HEW-06 AF-06 ARA-10

NEA-10 SAM-01 OIC-02 AID-05 OMB-01 CIAE-00 DODE-00

PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01

SP-02 SS-15 USIA-15 ACDA-10 SSM-05 DHA-02 COME-00

EB-07 LAB-04 SIL-01 TRSE-00 SAB-01 /160 W

----- 046048

P R 081753Z MAR 76

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 8604

INFO AMEMBASSY BELGRADE PRIORITY

AMEMBASSY CANBERRA

AMEMBASSY OTTAWA

AMEMBASSY TOKYO

EC CAPITALS 004

UNCLAS GENEVA 1761

PASS LABOR FOR SEGALL, HOROWITZ AND QUACKENBUSH

EO 11652: N/A

TAGS: ILO PORG IS

SUBJECT: ILO: US STATEMENT ON DIRECTOR GENERAL'S REPORT ON 1974  
CONFERENCE RESOLUTION ON ISRAEL

REF: GENEVA 1721 (NOTAL)

FOLLOWING IS VERBATIM TEXT OF MARCH 5 STATEMENT BY USG MEMBER  
ILO GOVERNING BODY ON SUBJECT:

BEGIN TEXT:

MR HOROWITZ - AS YOU KNOW, THIS IS THE FIRST SESSION OF  
THE GOVERNING BODY WHERE I HAVE HAD THE PRIVILEGE TO  
REPRESENT THE UNITED STATES. I REGARD IT AS A PRIVILEGE  
UNCLASSIFIED

PAGE 02 GENEVA 01761 081916Z

TO PARTICIPATE IN THE PROCEEDINGS OF THE GOVERNING BODY OF THE  
ILO, AND YET I MUST CONFESS THAT I AM SADDENED THAT IN THE COURSE  
OF THAT FIRST EXPERIENCE IN THE GOVERNING BODY WE ARE DEALING  
WITH THIS PARTICULAR ITEM. MY GOVERNMENT REGARDS THIS ITEM

AND ITS ANTECEDENTS AS A VERY SERIOUS QUESTION. IT IS A SERIOUS QUESTION BECAUSE IT REPRESENTS IN ITS BACKGROUND, AND THEREFORE IN ITS CONTINUATION, A VIOLATION OF THAT DUE PROCESS FOR WHICH THIS ORGANIZATION HAS WORKED FOR MORE THAN HALF A CENTURY. THE ILO OVER ITS MORE THAN 50 YEARS OF EXPERIENCE AND HISTORY IS RIGHTLY PROUD - AND WE ARE ALL PROUD - OF THE TRADITIONS IT HAS DEVELOPED, BOTH WITH RESPECT TO THE DEVELOPMENT OF STANDARDS IN THE LABOUR AREA, IN THE HUMAN RIGHTS AREA AND, PARTICULARLY, IN THE KIND OF ALMOST UNIQUE IN INTERNATIONAL AFFAIRS IMPARTIAL MACHINERY FOR THE INVESTIGATION OF ALLEGATIONS MADE WITH RESPECT TO THE MATTERS OF CONCERN TO THE ILO. INDEED, THE FACT THAT THERE HAS BEEN FROM TIME TO TIME VIOLATION OF THAT DUE PROCESS WHICH IS SO PRECIOUS TO THE ILO, AND I THINK TO THE WORLD, AS A CONTRIBUTION TO THE DEVELOPMENT OF INTERNATIONAL RELATIONS, IS INDEED A VERY SERIOUS QUESTION, A SERIOUS MATTER. WE THE UNITED STATES GOVERNMENT, AS YOU KNOW, FELT COMPELLED IN NOVEMBER TO NOTIFY THE ORGANIZATION THAT WE GAVE NOTICE OF WITHDRAWAL FROM THE ORGANIZATION AT THE END OF TWO YEARS, EVEN THOUGH WE HOPE TO STAY IN THE ORGANIZATION AND WORK IN THE ORGANIZATION IN THESE TWO YEARS TO HELP RETURN THE ILO TO THE TRADITIONS WHICH IT HAS WORKED SO HARD TO DEVELOP. ONE OF THOSE BASIC TRADITIONS, ONE OF THOSE BASIC CONTRIBUTIONS, HAS BEEN THE DEVELOPMENT OF DUE PROCESS IN REGARD TO THOSE MATTERS ON WHICH THERE ARE ALLEGATIONS OF VIOLATIONS MADE IN ONE OR ANOTHER COUNTRY.

UNFORTUNATELY, THE QUESTION BEFORE US IN THIS ITEM REPRESENTS JUST THAT KIND OF IMPATIENCE RESULTING, AS SO FREQUENTLY IS THE CASE WHERE VERY IMPORTANT POLITICAL QUESTIONS DEVELOP IN REGIONS OF THE WORLD, WHICH ARE VITAL OF COURSE TO THE COUNTRIES CONCERNED AND WHICH REPRESENT VERY IMPORTANT INTERNATIONAL PROBLEMS. BUT LET US DIFFERENTIATE BETWEEN THE IMPORTANCE OF SUCH PROBLEMS AND THE RELEVANCY TO THE ILO. AND WHERE THEY MAY BE REGARDED AS RELEVANT, SURELY WE SHOULD USE THAT MACHINERY WHICH THE ILO HAS DEVELOPED AND WHICH HAS EARNED, RIGHTLY, A WORLD REPUTATION

UNCLASSIFIED

PAGE 03 GENEVA 01761 081916Z

FOR OBJECTIVITY AND EFFECTIVENESS, RATHER THAN TO VIOLATE ALL OF THIS AND TO CONDEMN WITHOUT INVESTIGATION BY ACTION OF OUR CONFERENCE AND THEN PUT THE GOVERNING BODY AND THE DIRECTOR-GENERAL IN THAT EMBARRASSING POSITION OF HAVING TO DEAL AS BEST IT CAN WITH A CONTINUATION OF WHAT MUST, IN THE NATURE OF THINGS, BE A VIOLATION OF DUE PROCESS IN GOING FORWARD TO LOOK AT WHAT HAS ALREADY BEEN CONDEMNED.

I THINK THE LATE DIRECTOR-GENERAL, JENKS, PERHAPS MOST ELOQUENTLY REFLECTED THESE THOUGHTS AT THE 58TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE IN 1973 WHEN HE SAID "THE RESOLUTIONS RELATING TO PARTICULAR COUNTRIES RAISE SOME SPECIAL PROBLEMS, SPECIAL QUESTIONS. MAY I REPEAT SOMETHING

I SAID TO THE CONFERENCE LAST YEAR: "THIS CONFERENCE IS NOT A TRIBUNAL AND ITS PROCEDURES EMBODY NONE OF THE GUARANTEES OF JUDICIAL PROCESS. IT IS VITAL TO MAINTAIN THIS TRADITION IN EVERY RESPECT. THE WHOLE FUTURE OF THE ILO MAY WELL DEPEND ON THE CONFERENCE MAINTAINING THIS GREAT TRADITION. IN THE NAME OF THE REPUTATION FOR INTEGRITY WHICH WON THE ILO THE NOBEL PEACE PRIZE, I IMPORE THE CONFERENCE TO THINK MANY, MANY TIMES BEFORE IT ABANDONS THIS TRADITION. IT IS MY CLEAR DUTY TO REMIND THE CONFERENCE OF WHAT IS INVOLVED IN THE PROCEDURES ADOPTED IN SUCH CASES FOR THE WHOLE FUTURE OF THE WORK OF THE ILO RELATED THE WORK OF THE ILO RELATING TO HUMAN RIGHTS. THE ILO IS THE CUSTODIAN OF THE EXECUTION OF THE OBLIGATIONS ASSUMED BY 123 GOVERNMENTS, BY 3,942 RATIFICATIONS AND INTERNATIONAL LABOUR CONVENTIONS. OUR STATUS AS THE WATCHDOG OF THE EXECUTION OF THESE OBLIGATIONS DEPENDS ON OUR REPUTATION FOR DUE PROCESS. EACH GOVERNMENT, EMPLOYER AND WORKER IN THE ILO HAS A DIRECT INTEREST IN THE CONTINUED INTEGRITY OF THAT REPUTATION. IT IS WHOLLY PROPER AND APPROPRIATE FOR THE CONFERENCE, IF IT THOUGHT FIT, TO CALL FOR A FULL AND IMPARTIAL INQUIRY BY OUR ESTABLISHED CONSTITUTIONAL PROCEDURES INTO ALLEGATIONS RELATING TO MATTERS WITHIN THE COMPETENCE OF THE ILO. NO PLEA OF SOVEREIGNTY IS A BAR TO SUCH INQUIRY. IT IS WHOLLY PROPER FOR THE CONFERENCE IF IT THINKS FIT TO REACH CONCLUSIONS ON THE BASIS OF SUCH AN INQUIRY. FOR THE CONFERENCE FIRST TO CONDEMN AND THEN TO CALL FOR AN INQUIRY, THE TERMS OF REFERENCE OF WHICH WOULD BE TO CONFIRM SUCH CONDEMNATION, WOULD BE TO OFFEND THE PRINCIPLE OF DUE PROCESS ON WHICH ALL OUR WORK RELATING TO THE UNCLASSIFIED

PAGE 04 GENEVA 01761 081916Z

IMPLEMENTATION OF CONVENTIONS RESTS.

I DO FEEL THAT THE COMPLAINTS, THE COMMENTS, MADE BY PREVIOUS SPEAKERS REFLECTS ON A PRACTICAL LEVEL THE IMPLICATIONS FOR THE GOVERNING BODY AND FOR THE DIRECTOR-GENERAL OF FOLLOWING THE ADOPTION OF THE RESOLUTION WHICH HAS BROKEN DUE PROCESS AND BYPASSED EXISTING MACHINERY. THE COMMENTS RELATE TO THE SLOWNESS OF THE PROCESS, RELATE TO THE LABOURING OF ISSUES, RELATE TO THE DESIRE TO HAVE SOME RECOMMENDATIONS FORTHCOMING. INDEED, THE QUESTION WHICH STILL REMAINS, AND WHICH SURELY HAS BEEN PUT MANY TIMES, IS WHY IS NOT THE EXISTING INQUIRY MACHINERY USED, WHY MUST WE FIND OURSELVES IN THAT SITUATION OF BEING ASKED TO CONTINUE THE VIOLATION OF DUE PROCESS AND CONCERN OURSELVES WITH A CONDEMNATION MADE ALREADY, RATHER THAN THAT EXTRAORDINARY VALUABLE SET OF MACHINERY WHICH WE HAVE WHICH CAN OBJECTIVELY AND RAPIDLY PROCEED TO DISPOSE OF THE MATTER?

IN CONCLUSION, MAY I SAY THAT I WOULD HOPE THAT MY VIEWS ARE SHARED ALTOGETHER BY ALL THE MEMBERS OF THE GOVERNING BODY, THAT WE CEASE TO EMBARRASS THE DIRECTOR-GENERAL, WHO AFTER ALL IS THE CHIEF OFFICER OF THE ILO, AND HAS AS HIS BASIC OBJECTIVE

THE UPHOLDING AND FURTHERING OF OUR TRADITIONS, NOT TO BE FORCED  
TO ATTEMPT TO DESTROY THEM. AND MAY I THEREFORE URGE THAT,  
IF THERE ARE ALLEGATIONS, LET US USE THE MACHINERY OF THE ILO,  
BUT LET US BE SURE THAT WE DO NOT REGARD WHAT IS HAPPENING  
NOW AS A PRECEDENT FOR THE FUTURE, BUT THAT AN UNFORTUNATE  
ABERRATION, AND THAT THEREFORE MAY I URGE THAT THIS GOVERNING  
BODY, PLACED IN THE EMBARRASSING SITUATION IT HAS BEEN PLACED  
INTO, DECIDE THAT ENOUGH HAS BEEN DONE AND THAT WE DISPOSE  
OF THIS MATTER ONCE AND FOR ALL.

END TEXT. DALE

UNCLASSIFIED

<< END OF DOCUMENT >>

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 15 SEP 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MEETING AGENDA, GOVERNMENT REACTIONS, RESOLUTIONS, POLITICAL SITUATION, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 08 MAR 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976GENEVA01761  
**Document Source:** ADS  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** n/a  
**Film Number:** D760087-0764  
**From:** GENEVA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t197603116/baaaesee.tel  
**Line Count:** 176  
**Locator:** TEXT ON-LINE, TEXT ON MICROFILM  
**Office:** ACTION IO  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:**  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 27 AUG 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <27 AUG 2004 by meiwc>; APPROVED <09 DEC 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ILO: US STATEMENT ON DIRECTOR GENERAL'S REPORT ON 1974  
**TAGS:** PORG, IS, US, ILO  
**To:** STATE  
INFO BELGRADE  
MULTIPLE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006